

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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1 BROSNISLAVA KOSMAS, et al.,
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CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, PR

3 Plaintiffs,
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v.
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CIVIL NO. 98-2330 (RLA)

6 SAN JUAN GRAND BEACH RESORT,
et al.,
7

Defendants.
8

9 ORDER INSTRUCTING PLAINTIFF TO APPEAR FOR DEPOSITION AND
10 FOR MEDICAL EXAMINATION, SETTING DEPOSITION DEADLINES
RESCHEDULING SETTLEMENT CONFERENCE
11 AND SETTING JURY TRIAL AND PRETRIAL/SETTLEMENT CONFERENCE

12 **Deposition and Medical Examination**

13 The Motion Requesting Order Regarding Pending Discovery, filed
14 by third-party defendant J.P. CONSTRUCTION, INC. on December 21,
15 1999 (docket No. 31) is **GRANTED**.

16 Accordingly, plaintiff BRONISLAVA KOSMAS shall travel to Puerto
17 Rico at her own cost for the taking of her deposition and for an
18 independent medical examination both of which shall be scheduled for
19 no later than **February 7, 2000**.

20 The physician's report shall be prepared **no later than February**
21 **29, 2000** and the expert's depositions shall be taken **no later than**
22 **March 10, 2000**.

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33 no

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Settlement Conference

Defendant having shown cause, the Motion Requesting Continuance for Settlement Conference, filed on January 10, 2000 (docket No. 32) is **GRANTED**.

Accordingly, the **SETTLEMENT CONFERENCE** originally set for January 12, 2000 is hereby **rescheduled** for **March 17, 2000 at 2:30 p.m.**¹

JURY TRIAL

TRIAL in this action hereby set for **August 24, 2000 at 9:30 a.m.**

PRETRIAL/SETTLEMENT CONFERENCE

A **PRETRIAL/SETTLEMENT CONFERENCE**, to be held before the undersigned,² is hereby scheduled for **August 15, 2000 at 3:30 p.m.**

A Proposed Joint Pretrial Order³ shall be filed **on or before August 8, 2000**, and shall contain the following:

I. Nature of the Case

A statement of the nature of the case agreed upon by all parties which shall include issues of jurisdiction. In the

¹ The parties shall contact the chambers of the undersigned to verify where the Conference will be held.

² The parties shall contact the undersigned's chambers to verify where the conference will be held.

³ A courtesy copy to be delivered directly to the chambers of the undersigned.

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1 event that the parties cannot agree upon a single description,
2 separate versions shall be submitted.
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4 **II. Theories of the Parties**

5 Each party shall present concisely its pertinent
6 legal theories including applicable citations to statutes and
7 caselaw. Counsel are directed to fully disclose all trial
8 issues since the Proposed Joint Pretrial Order will supersede
9 the pleadings in establishing the issues to be heard and
10 considered at trial.

11 **III. Admitted Facts**

12 The parties shall provide a comprehensive listing of
13 all admitted or stipulated facts.

14 **IV. Contested Facts**

15 The parties shall provide a listing of contested
16 facts.

17 **V. List of Exhibits**

18 This section shall contain a listing of all exhibits
19 which have been pre-marked/numbered. Each exhibit shall be
20 identified by a descriptive title as well as its identification
21 number. The parties shall indicate those exhibits, if any,
22 which are not objected to by opposing counsel.

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2 VI. Depositions

3 The party wishing to use deposition testimony at
4 trial shall list the depositions. Additionally, designations
5 and objections shall be submitted in accordance with the
6 undersigned's STANDING ORDER FOR CIVIL TRIALS issued on
7 February 10, 1994.

8

VII. Witnesses and Interpreters

9 Each party shall identify witnesses to be presented
10 at trial and include a brief, one paragraph, offer of proof.
11 Additionally, the parties shall specifically identify those
12 witnesses who will need the services of a court-certified
13 interpreter during trial.

14

VIII. Expert Witnesses and Interpreters

15 Each party shall list its expert witnesses and
16 include his/her curriculum vitae and an offer of proof. If an
17 expert report has been produced, the report shall be submitted
18 in conjunction with the offer of proof. Additionally, the
19 parties shall specifically identify those experts who will need
20 the services of a court-certified interpreter during trial.

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IX. Itemized Statement of Special Damages

23 In anticipation that the issue of special damages may
24 arise, an itemized statement of special damages shall be
25 incorporated into the Proposed Joint Pretrial Order. The party
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1 or parties not in agreement with the proposed statement shall
2 include its/their opposition in this section.
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4 **X. Estimated Length of Trial**

5 Parties shall indicate the estimated length of trial.

6 The Proposed Joint Pretrial Order may be modified by this Court
7 only upon a showing of good cause.

8 **STANDING ORDER**

9 The parties shall file a TRIAL BRIEF, PROPOSED JURY
10 INSTRUCTIONS, PROPOSED VOIR DIRE and PROPOSED VERDICT FORM⁴ no later
11 than **August 17, 2000** in accordance with the undersigned's STANDING
12 ORDER FOR CIVIL TRIALS issued on **February 10, 1994**.

13 The parties shall make the necessary arrangements with the
14 courtroom deputy clerk to have the evidence marked prior to trial.⁵

16 IT IS SO ORDERED.

17 San Juan, Puerto Rico, this 11th day of January, 2000.



RAYMOND L. ACOSTA
United States District Judge

24 ⁴ Courtesy copies of all these documents shall be delivered
25 directly to the chambers of the undersigned.

25 ⁵ The parties shall furnish the undersigned an additional copy
26 of all documents intended to be presented as evidence at trial.

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SUMMARY OF DEADLINES AND SETTINGS

4 **2/7/2000** Deadline for plaintiff's deposition and independent
5 medical examination.

6 **2/29/2000** Deadline for physician's report.

7 **3/10/2000** Deadline for experts' depositions.

8 **3/17/2000** SETTLEMENT CONFERENCE at **2:30 p.m.**

9 **8/8/2000** Deadline for filing JOINT PRETRIAL ORDER

10 **8/15/2000** PRETRIAL/SETTLEMENT CONFERENCE at **3:30 p.m.**

11 **8/17/2000** Deadline for filing TRIAL BRIEF, PROPOSED JURY
12 INSTRUCTIONS, PROPOSED VOIR DIRE and PROPOSED
 VERDICT FORM

13 **** Parties to mark evidence prior to trial

14 **** Parties to provide the court copy of all documents
15 intended to be presented as evidence at trial.

16 **8/24/2000** JURY TRIAL at **9:30 a.m.**

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